

**In the United States District Court
For the Southern District of Georgia
Waycross Division**

DELWIN BERRY,

Plaintiff,

v.

BRYSON; EDWINA JOHNSON; AMMOS
TAYLOR; WILLIAM DANFORTH; TOM
GRAMIAK; TIMOTHY ALLEN WARD;
and BRIAN OWENS,

Defendants.

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CIVIL ACTION NO.: 5:17-cv-35

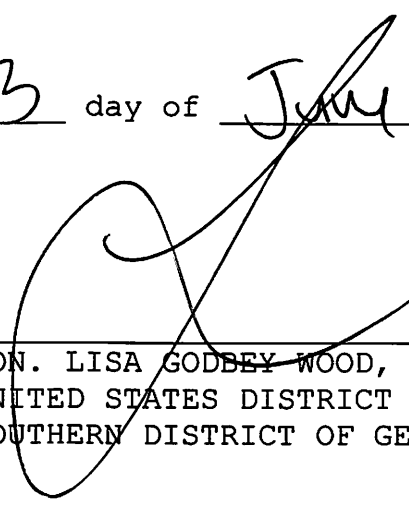
ORDER

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's May 5, 2017, Report and Recommendation, dkt. no. 4, to which Plaintiff failed to file Objections.¹ Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court.

¹ Instead, Plaintiff filed a Petition for Writ of Mandamus, dkt. no. 5, and Motion to Correct Void Sentence, dkt. no. 6. However, even under the most liberal reading, Plaintiff's filings cannot be construed as Objections. Plaintiff makes no mention of the Magistrate Judge's Report and Recommendation, nor does it appear that any of these filings can be construed as a Motion for Leave to Proceed *in Forma Pauperis*.

The Court **DISMISSES WITHOUT PREJUDICE** Plaintiff's Complaint, **DENIES** Plaintiff leave to appeal *in forma pauperis*, **DISMISSES** all pending motions as **MOOT**, and **DIRECTS** the Clerk of Court to enter the appropriate judgment of dismissal and to **CLOSE** this case.

SO ORDERED, this 13 day of July, 2017.



HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA